

IN THE COURT OF APPEALS OF TENNESSEE  
AT KNOXVILLE

**JAMES BOSTIC v. STATE OF TENNESSEE and WARDEN, DAVID  
SEXTON**

**Appeal from the Circuit Court for Johnson County  
No. X3434 Hon. Thomas J. Seeley, Jr., Judge**

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**No. E2012-01710-COA-R3-CV - Filed September 28, 2012**

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**Tenn. R. App. P.3 Appeal as of Right; Appeal Dismissed**

HERSCHEL PICKENS FRANKS, P.J., CHARLES D. SUSANO, JR., J., and D. MICHAEL SWINEY, J.

James E. Bostic, Mountain City, Tennessee, *pro se*.

James Lee Pope, Assistant Attorney General, Nashville, Tennessee.

**MEMORANDUM OPINION<sup>1</sup>**

This is an appeal from a final order of dismissal in the Circuit Court, entered on April 11, 2012. The appellant did not file a notice of appeal until August 9, 2012.

This Court issued a show cause order directing appellant to show cause why the appeal should not be dismissed for lack of jurisdiction. The appellant has responded to the show cause order by motion which does not show good cause why the appeal should not be dismissed.

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<sup>1</sup>Rule 10 of the Rules of the Court of Appeals provides: "This Court, with the concurrence of all judges participating in the case, may affirm, reverse or modify the actions of the trial court by memorandum opinion when a formal opinion would have no precedential value. When a case is decided by memorandum opinion it shall be designated 'MEMORANDUM OPINION,' shall not be published, and shall not be cited or relied on for any reason in any unrelated case"

Accordingly, this Court is without jurisdiction to entertain the appeal and the appeal is dismissed. The cost of the appeal is assessed to James E. Bostic.

**PER CURIAM**